

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1404-01
Bill No.: HB 880
Subject: Natural Resources Department; Boards, Commissions, Committees, Councils
Type: Original
Date: April 2, 2013

Bill Summary: This proposal changes the laws regarding boards and commissions within the Department of Natural Resources.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
General Revenue*	\$0	\$0	\$0
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

* transfer of revenue and expenditures from the Department of Natural Resources to the Department of Agriculture

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Land Survey*	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

* transfer of revenue and expenditures from the Department of Natural Resources to the Department of Agriculture

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 11 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Department of Agriculture	1	11	11
Department of Natural Resources	-1	-11	-11
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§ 60.510 - 60.670 Land Survey Program:

Officials from the **Department of Natural Resources (DNR)** responded as follows:

DNR states § 65.510, would make the Department of Agriculture (AGR) responsible for the land survey functions, duties and responsibilities rather than the Department of Natural Resources.

DNR states § 60.530, would make the state land surveyor reportable to AGR rather than the DNR, including all functions and duties as prescribed in §§ 60.510 to 60.610.

DNR states § 60.570, would remove liability from the Land Survey Program, of rent or any other costs associated with office space if the headquarters are located in any building owned by a state agency or department.

DNR notes, with the 1974 reorganization of state government, the Land Survey Program was established within the Division of Geology and Land Survey and was required to be located near the office of the state geologist because of shared interests in accurate maintenance of the land corners and geodetic markers that form the basis of property ownership within Missouri.

DNR states, § 60.570 RSMo, requires the land survey program to be located near the state geological survey. The changes to § 60.570 indicate that if the land survey program headquarters are located in any building owned by a state agency or department, the land survey program shall not be liable to that agency or department for rent or any other costs associated with the office space.

DNR assumed this refers to current office furniture and cubicles. Should the Land Survey Program remain in DNR owned facilities, AGR will pay the costs associated with occupying the space including, but not limited to, rent, utilities, maintenance and repair or renovations initiated by AGR.

Oversight assumes should the Land Survey Program remain in a DNR owned facility or be placed in another state agency facility, after the duties have been transferred to AGR. AGR would not be liable to DNR, or any other state agency, for rent, or any other costs associated with the office space used by AGR for the Land Survey Program.

ASSUMPTION (continued)

DNR states § 60.595, would change the name of the Department of Natural Resources Revolving Fund to the Department of Agriculture Revolving Services Fund. Administrative duties for the fund would also transfer to AGR, rather than DNR, including fund income and expenditure reporting. As of January 31, 2013, the Land Survey portion of the Revolving Services Fund had a cash balance of \$314,912 and a FY 14 expense and equipment allocation of \$80,000.

DNR states §60.620, would transfer the creation of the Land Survey Committee to within AGR, rather than DNR.

DNR states §60.670, would make AGR responsible for the promulgation of rules and regulations for digital cadastral parcel mapping, rather than DNR.

DNR notes, the Land Survey Authority was created by statute in 1969 and supported by a \$1 recording fee collected by the offices of county recorders of deeds. This fee remains unchanged to this day.

DNR assumes the current program staffing levels of 11 FTE, \$439,477 of personal services plus pay plan, \$223,143 fringe and \$72,100 of Expense & Equipment planned spending plus \$180,000 Program Specific Distribution appropriation authority would transfer to AGR. DNR assumes AGR will become responsible for the Missouri Land Survey Fund.

DNR notes, the land survey program supports .50 FTE for AOSA receptionist duties and .50 FTE of a laborer II who performs janitorial/maintenance work in support of the office space currently occupied by the land survey program. These duties will remain within DNR due to the size of the building supported and should not transfer to the Department of Agriculture. The department assumes a general revenue request will be made to replace the funding for staff previously supported by the Land Survey Fees.

DNR states there are two employees within the Division of State Parks (DSP) who conduct surveys of State Parks' boundaries and are supervised by staff within the Land Survey Program. DNR assumes that staff within the Land Survey Program would continue to work with State Parks as it relates to State Parks boundary surveys.

ASSUMPTION (continued)

DNR states the Natural Resources Revolving Services Fund (RSF) is used for a number of purposes other than the purchase of goods or services for reproducing land survey documents for distribution. DNR is allowed to publish maps and publications for resale as well as simplify funding for inter-divisional cooperative agreements such as for laboratory services, core library fees, workshops, conferences, and other central services. Revenue, expenditures and cash balances are tracked separately for each of the activities utilizing the RSF.

DNR assumes only the appropriation and cash associated with land survey activities within the Revolving Services Fund would be utilized by the Department of Agriculture.

DNR assumes the RSF would continue to be utilized by DNR for all existing RSF activities (i.e. no change for DNR) until such time as a new revolving services fund can be established for DNR

DNR assumes appropriation, FTE, and cash balances attributable to activities not related to the Land Survey Program will transfer to DNR's newly established revolving services fund.

Oversight assumes any costs incurred by the Department of Agriculture to implement this proposal would be offset by decreases in costs at the Department of Natural Resources.

Oversight will use the net fiscal impact provided by the Department of Natural Resources.

§ 236.410 - Dam and Reservoir Safety Council:

DNR states section 236.410, would require there to be one member from each of the five United States congressional districts in this state with the highest number of dams on the Dam and Reservoir Safety Council. Additionally, the council would be responsible for preparing and presenting an annual report to the general assembly by December 31st of each year. DNR does not anticipate a fiscal impact as a result of this section of the proposal.

ASSUMPTION (continued)

§§ 253.010, 253.032, 253.035, 253.040, 253.412, and 258.010 - Missouri State Parks Commission:

DNR states, these sections of the proposal would transfer the powers of the Missouri State Park Board established in 86-26 to the Missouri State Parks Commission. The Missouri Trails Advisory Board, Missouri Advisory Council on Historic Preservation, and the State Interagency Council for Outdoor Recreation shall report to the Missouri State Parks Commission established in this proposal. DNR would not anticipate significant fiscal impact as a result of these provisions.

§ 256.605 - Boards and Commissions:

DNR states this section of the proposal would move the Well Installation Board under the department's Safe Drinking Water Commission.

§ 256.710 - Boards and Commissions:

DNR states this section of the proposal would require the Industrial Minerals Advisory Council to prepare and present an annual report to the general assembly by December thirty-first of each year.

§ 258.010 - Boards and Commissions:

DNR states this section would require the State Interagency Council for Outdoor Recreation to report to the Missouri State Parks Commission established in this proposal.

§ 260.345 - Boards and Commissions:

DNR assumes this section of the proposal would transfer responsibility for oversight of the Solid Waste Advisory Board (SWAB) from DNR to the Hazardous Waste Management Commission (HWMC). In addition, one member representing the SWAB would be placed on the HWMC as a voting member. In effect, the SWAB representative on the HWMC would take the place of one of the four public slots currently allotted to the HWMC. The remaining three positions on the HWMC are specified by statute to represent the waste management industry, waste generating industry, and agriculture.

ASSUMPTION (continued)

DNR assumes in this arrangement, the SWAB would advise the commission, rather than DNR through the Solid Waste Management Program as it currently does, on issues related to the solid waste management districts, criteria for solid waste grants, waste management issues, and the development of improved methods of solid waste minimization, recycling, and recovery.

§ 640.900 - Boards and Commissions:

DNR states this section of the proposal would require The Missouri Weatherization Policy Advisory Council within DNR to prepare and present an annual report to the general assembly by December thirty-first of each year.

DNR states section 640.900, subsection 2, requires recipients of grants or funds from the "Weatherization Assistance Program for Low-Income Persons" to attend a financial planning or budgeting course from a local community action group, community college or school to receive the grant or funds.

DNR assumes that recipients of a grant or funds from the Division of Energy's Low-Income Weatherization Assistance Program (LIWAP) would include local weatherization agency subgrantees and entities the agencies/subgrantees may contract with to provide weatherization services directly to a household. It is assumed the cost of attending a financial planning or budgeting course would be included in the subgrant or contract with the local weatherization agency subgrantee or contractor. Because households receive weatherization services rather than grants or funds, this subsection would not be applicable to households.

DNR states the LIWAP Policy Advisory Council, is advisory in nature, and has no administrative staff to prepare an annual report. It is assumed the Division of Energy would prepare the report using data and reporting formats already in place for other purposes.

DNR assumes there would be no additional cost to prepare and present an annual report.

§ 643.173 - Boards and Commissions:

The Air Conservation Commission is made up of citizen volunteers. It is not clear how state employees would report to the Commission (non-state employees). The fiscal impact is unknown at this time.

ASSUMPTION (continued)

Bill as a Whole

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Officials at the **City of Kansas City, Department of Conservation, Department of Economic Development, Department of Health and Senior Services, Missouri Department of Transportation, Missouri State University, Office of State Treasurer, St. Louis County, University of Central Missouri** and the **University of Missouri** each assume there is no fiscal impact to their organization from this proposal.

Officials at the **Department of Agriculture** defer to the Department of Natural Resources for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
GENERAL REVENUE			
<u>Transfer In - AGR - § 60.510 - Land</u> Survey Program			
Salaries	\$23,695	\$28,718	\$29,006
Fringes	<u>\$12,024</u>	<u>\$14,573</u>	<u>\$14,719</u>
<u>Total Revenue - AGR</u>	<u>\$35,719</u>	<u>\$43,291</u>	<u>\$43,725</u>
FTE Change - AGR	1 FTE	1 FTE	1 FTE
<u>Transfer Out - DNR - § 60.510 - Land</u> Survey Program			
Salaries	(\$23,695)	(\$28,718)	(\$29,006)
Fringes	<u>(\$12,024)</u>	<u>(\$14,573)</u>	<u>(\$14,719)</u>
<u>Total Costs - DNR</u>	<u>(\$35,719)</u>	<u>(\$43,291)</u>	<u>(\$43,725)</u>
FTE Change - DNR	(1 FTE)	(1 FTE)	(1 FTE)
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Estimated Net FTE Change for the General Revenue Fund	0 FTE	0 FTE	0 FTE

FISCAL IMPACT - State Government
 (continued)

FY 2014
 (10 Mo.)

FY 2015

FY 2016

LAND SURVEY FUND

Transfer In - AGR - § 60.510 - Land
 Survey Program

Salaries	\$439,777	\$439,777	\$439,777
Fringes	\$223,143	\$223,143	\$223,143
Equipment & Expense	\$72,100	\$72,100	\$72,100
Other Fund Costs	<u>\$180,000</u>	<u>\$180,000</u>	<u>\$180,000</u>
<u>Total Revenue - AGR</u>	<u>\$915,020</u>	<u>\$915,020</u>	<u>\$915,020</u>
FTE Change - AGR	11 FTE	11 FTE	11 FTE

Transfer Out - DNR - § 60.510 - Land
 Survey Program

Salaries	(\$439,777)	(\$439,777)	(\$439,777)
Fringes	(\$223,143)	(\$223,143)	(\$223,143)
Equipment & Expense	(\$72,100)	(\$72,100)	(\$72,100)
Other Fund Costs	<u>(\$180,000)</u>	<u>(\$180,000)</u>	<u>(\$180,000)</u>
<u>Total Costs - DNR</u>	<u>(\$915,020)</u>	<u>(\$915,020)</u>	<u>(\$915,020)</u>
FTE Change - DNR	(11 FTE)	(11 FTE)	(11 FTE)

ESTIMATED NET EFFECT ON
LAND SURVEY FUND

\$0

\$0

\$0

Estimated Net FTE Change for the Land
 Survey Fund

0 FTE

0 FTE

0 FTE

FISCAL IMPACT - Local Government

FY 2014
 (10 Mo.)

FY 2015

FY 2016

\$0

\$0

\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

KB:LR:OD

FISCAL DESCRIPTION

§§ 60.510 - 60.670 Land Survey Program:

This proposal transfers all powers, duties, and functions of the Land Survey Program within the Department of Natural Resources to the Department of Agriculture.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Natural Resources
Department of Agriculture
Department of Conservation
Department of Economic Development
Department of Health and Senior Services
Missouri Department of Transportation
Missouri State University
Office of State Treasurer
St. Louis County
University of Central Missouri
University of Missouri
City of Kansas City



Ross Strobe
Acting Director
April 2, 2013